

PROGRAM NARRATIVE**770 Water Commission****Date:** 01/13/2011**Time:** 11:38:39**Program:** Administrative and Support Services**Reporting level:** 00-770-750-00-00-00-00000000**Program Performance Measures**

The Administrative and Support Services will provide the overall guidance for the agency by identifying funding priorities. This division will also provide the other divisions with their technology equipment and support, accounting services, legal support, and human resource services. As a more specific measure of performance, this division will:

- Prepare and submit the agency's budget.
- Coordinate the timing of agency bonding.
- Coordinate development of agency testimony for legislative appropriations hearings.
- Maintain accounting records, and provide information technology and records management services.
- Bill federal, state, and local entities for their share of project costs.
- Provide legal support, including research and contract development.
- Maintain an agency IT strategic plan, and coordinate agency IT efforts with external and statewide initiatives.
- Support, maintain, and evolve agency IT infrastructure.

Program Statistical Data

The Administrative and Support Services Division includes 11 FTE's. Salaries in this division also fund the seven appointed members of the State Water Commission. This division is responsible for the accounting information technology, legal, human resources, and overall administration and direction of the agency.

Explanation of Program Costs

The Administrative and Support Services base budget totals \$3,128,430. The 2011-2013 increases total \$90,843, not including payroll. Items greater than \$10,000 include a \$12,709 increase in travel; a \$51,390 increase in information technology; a \$10,744 increase in utilities; and a \$16,000 increase in building rent.

Program Goals and Objectives**ADMIN AND SUPPORT SERVICES GOALS:**

- Provide overall direction of powers described in state water laws for the State Water Commission and State Engineer.

ADMIN AND SUPPORT SERVICES OBJECTIVES:

- Provide umbrella administrative and technology services that support the projects and programs of the agency.

REQUEST DETAIL BY PROGRAM

770 Water Commission

Bill#: SB2020

Date: 01/13/2011

Biennium: 2011-2013

Time: 11:38:39

Program: Administrative and Support Services Reporting Level: 00-770-750-00-00-00-00000000

Description	Expenditures 2007-2009 Biennium	Present Budget 2009-2011	Budget Request Change	Requested Budget 2011-2013 Biennium	Optional Request 2011-2013
Administrative and Support Services					
Salaries - Permanent	1,153,476	1,346,998	12,890	1,359,888	0
Temporary Salaries	353	14,693	(2,693)	12,000	0
Fringe Benefits	369,389	450,366	2,601	452,967	0
Travel	55,912	68,745	12,709	81,454	0
Supplies - IT Software	71,071	152,500	16,446	168,946	0
Supply/Material-Professional	5,804	5,500	0	5,500	0
Bldg, Ground, Maintenance	480	500	0	500	0
Miscellaneous Supplies	798	4,500	0	4,500	0
Office Supplies	21,492	19,500	0	19,500	0
Postage	31,540	27,500	0	27,500	0
Printing	13,231	10,000	0	10,000	0
IT Equip Under \$5,000	130,948	97,356	0	97,356	0
Other Equip Under \$5,000	385	1,500	0	1,500	0
Office Equip & Furn Supplies	5,352	7,500	0	7,500	0
Utilities	29,662	35,000	10,744	45,744	0
Insurance	37,613	48,500	0	48,500	0
Rentals/Leases-Equip & Other	8,257	2,500	0	2,500	0
Rentals/Leases - Bldg/Land	36,612	40,000	16,000	56,000	0
Repairs	10,910	15,500	0	15,500	0
IT - Data Processing	176,818	167,688	34,944	202,632	0
IT - Communications	76,088	88,443	0	88,443	0
IT Contractual Svcs and Rprs	26,302	15,000	0	15,000	0
Professional Development	106,062	110,000	0	110,000	0
Operating Fees and Services	17,742	25,000	0	25,000	0
Fees - Professional Services	8,347	25,000	0	25,000	0
IT Equip/Sftware Over \$5000	25,584	45,000	0	45,000	0
Transfers Out	0	200,000	0	200,000	(200,000)
Total	2,420,228	3,024,789	103,641	3,128,430	(200,000)
Administrative and Support Services					
General Fund	1,886,806	2,885,789	103,641	2,989,430	(200,000)
Federal Funds	178,609	130,000	0	130,000	0
Special Funds	354,813	9,000	0	9,000	0
Total	2,420,228	3,024,789	103,641	3,128,430	(200,000)
Total Expenditures	2,420,228	3,024,789	103,641	3,128,430	(200,000)

Funding Sources

REQUEST DETAIL BY PROGRAM

770 Water Commission

Bill#: SB2020

Date: 01/13/2011

Biennium: 2011-2013

Time: 11:38:39

Program: Administrative and Support Services	Reporting Level: 00-770-750-00-00-00-00000000
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Description	Expenditures 2007-2009 Biennium	Present Budget 2009-2011	Budget Request Change	Requested Budget 2011-2013 Biennium	Optional Request 2011-2013
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General Fund

Total	1,886,806	2,885,789	103,641	2,989,430	(200,000)
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Federal Funds

N006 Cap Program	49,098	43,419	0	43,419	0
N047 MR&I Administration	46,144	47,000	0	47,000	0
N157 State Dam Safety Grant Program	14,101	7,415	0	7,415	0
N177 Flood Assistance Program F 00	1,576	449	0	449	0
N192 FEMA Map Modernization Mgmt	60,276	29,000	0	29,000	0
N194 Fed Fund Transfer from Another Agen	7,414	2,370	0	2,370	0
N224 FEMA Cooperating Technical Partn	0	347	0	347	0

Total	178,609	130,000	0	130,000	0
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Special Funds

267 Water Development Trust Fund 267	354,813	0	0	0	0
397 Water Commission Fund 397	0	9,000	0	9,000	0

Total	354,813	9,000	0	9,000	0
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Total Funding Sources

2,420,228	3,024,789	103,641	3,128,430	(200,000)
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FTE Employees

11.00	11.00	0.00	11.00	0.00
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CHANGE PACKAGE DETAIL

770 Water Commission

Bill#: SB2020

Date: 01/13/2011

Time: 11:38:39

Biennium: 2011-2013

Program: Administrative and Support Services **Reporting Level:** 00-770-750-00-00-00-00000000

Description	Priority	FTE	General Fund	Federal Funds	Special Funds	Total Funds
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Base Budget Changes**Ongoing Budget Changes**

A-A 1 Operating Expenses		0.00	90,843	0	0	90,843
A-A 5 Capital Payments		0.00	45,000	0	0	45,000
A-F 4 Remove Capital		0.00	(45,000)	0	0	(45,000)
Base Payroll Change		0.00	12,798	0	0	12,798
Total Ongoing Budget Changes		0.00	103,641	0	0	103,641
Total Base Budget Changes		0.00	103,641	0	0	103,641

Optional Savings Changes

A-G 9 Optional Savings	4	0.00	(200,000)	0	0	(200,000)
Total Optional Savings Changes		0.00	(200,000)	0	0	(200,000)

PROGRAM NARRATIVE**770 Water Commission****Date:** 01/13/2011**Time:** 11:38:39**Program:** Water and Atmospheric Resources**Reporting level:** 00-770-760-00-00-00-00-00000000**Program Performance Measures**

With the state and federal funding included in this budget request the State Water Commission will strive to achieve the following project and program efforts during the 2011-2013 biennium as a measure of performance.

Southwest Pipeline Project

- Complete the Oliver, Mercer, North Dunn Water Treatment Plant.
- Construct main transmission line facilities in the Zap and Center Service Area.
- Construct the Zap Service Area rural distribution pipeline.
- Design and bid the Center Service Area rural distribution pipeline.
- Begin construction on transmission facilities in the Dunn Service Area.

Northwest Area Water Supply

- Complete construction of the pipeline between Minot and the Air Force base.
- Complete construction of the pipeline between the Air Force base and Upper Souris District.
- Assist Reclamation with preparation of a supplemental EIS to address the courts May 2009 order.
- Complete court filings to lift injunction.
- Initiate design work on a biota treatment plant and intake, and remaining contracts to move water from Lake Sakakawea to Minot.
- Develop plans and manuals as required by EIS commitments.

Devils Lake Flood Control

- Maintain and operate the state's emergency Devils Lake Outlet.
- Develop discharge monitoring reports for outlet operation as needed.
- Work with local and federal entities to remove additional water from the lake on an ongoing basis.

Regulatory Program

- Process all incoming construction, drainage, and sovereign land permit applications.
- Provide technical assistance to water resource districts (WRDs) as requested.
- Address all incoming WRD decision appeals.
- Digitally map all permitted assessment drains and dams that are currently in the 4-D database.
- Provide flow determinations requested per North Dakota Century Code 24-03-08.
- Review all incoming Public Service Commission and U.S. Army Corps' Section 404 permits.

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- Implement Sovereign Land Management Plan recommendations and complete ordinary high water mark determinations where needed.

Municipal, Rural, and Industrial (MR&I) Water Supply Program

- Implement a five-year plan for MR&I project funding requests.
- Participate in meetings with communities and rural water districts to provide technical and planning assistance.
- Provide MR&I budget estimates for project development.
- Coordinate meetings with various funding entities to discuss projects.
- Work with North Dakota's Congressional Delegation to increase federal MR&I appropriations.
- Coordinate with the Garrison Conservancy District in the prioritization and allocation of MR&I funds to projects.

Floodplain Management

- Monitor community floodplain management compliance under the Community Assistance Program (CAP) and provide technical assistance regarding the National Flood Insurance Program.
- Conduct floodplain management training workshops and participate in related training workshops under CAP.
- Promote the availability of mapping products produced as part of Map Modernization and its successor program – Risk Map.
- Conduct floodplain determinations for the Bank of North Dakota.

Dam Safety Program

- Conduct partial inspections of 144 dams each spring.
- Conduct full inspections of about 21 dams per year, and report findings to owners.
- Maintain and update North Dakota's dam inventory and submit data to the National Inventory of Dams (NID).
- Assist dam owners with developing Emergency Action Plans (EAPs), and review and approve EAPs as they are submitted.
- Manage federal grant funds used for the development of EAPs as a supplement to the state cost-share program.

Cost-share Program

- Review approximately 65-75 cost-share inquiries/applications for cost-share eligibility and assistance each year.
- Present 45-55 cost-share proposals for approval and authorization annually.
- Develop agreements/contracts for 60-70 approved and authorized projects each year.
- Process requests for payment, monitor agreement/contract compliance, and review and inspect work for approximately 90 active projects.

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Design and Construction

- Assist dam owners with design and repairs of existing water facilities.
- Repair and maintain North Dakota's stream gage network through cooperative efforts with the U.S. Geological Survey.
- Conduct general construction projects.

State Water Management Plan

- Coordinate recommendations included in the 2009 SWMP.
- Develop a 2013-2015 Water Development Report to supplement the 2009 Water Management Plan.

Water Education for Teachers (WET) Program

- Maintain Project WET classroom-ready teaching aids and service contracts in support of educational efforts.
- Provide in-service and pre-service credit and non-credit educational programs for K-12 educators.
- Provide varying educational programs for K-12 students, communities, and the general public.
- Complete facilitator leadership training.
- Provide funds for the Keep North Dakota Clean Water education poster contest.
- Maintain the Project WET facilitator network and complete all Section 319 EPA grant development and reporting requirements.
- Complete two Project WET watershed institutes.

Watershed Plan Coordination

- Provide technical assistance toward the implementation of the Red River Basin Commission's Natural Resource Framework Plan.
- Provide technical assistance toward the implementation of joint water board, water management plans.
- Continue to participate as board members and technical advisors for international and national watershed planning and coordination efforts.

North Dakota Cloud Modification Project (NDCMP)

- Conduct a RFB process and award an aircraft service contract.
- Hire NDCMP field personnel by the end of May, annually.
- Conduct pre-project ground school by the end of May, annually.
- Conduct NDCMP operations during June through August.
- Conduct data analysis and final reporting to participating counties during the winter, annually.
- Report cloud seeding activities to the National Oceanic and Atmospheric Administration during every spring and fall.

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Atmospheric Resource Board & Cooperative Research Program

- Work with the North American Interstate Weather Modification Council and Weather Modification Association to establish a federally-funded research program.
- Continue the Polarimetric Cloud Analysis and Seeding Test (POLCAST) hygroscopic seeding research program.

Atmospheric Resource Board & Cooperative Observe Network

- Manage the program for daily observation of rainfall and hail, including data entry, quality control, and GIS mapping during April-September, annually.
- Conduct growing-season mapping and manage volunteer renewal for following years each fall.
- Recruit new volunteers each spring.
- Send instructions and postage-paid reporting cards and rain gauges for reporting seasons every year in March.
- Expand the online reporting program and snowfall measurements in critical areas.

Administration, Adjudication, and Evaluation of Water Rights

- Gather data on shared resources.
- Discuss possible actions regarding water resources.
- Negotiate management decisions.
- Conduct water resource investigations.
- Prepare recommendations for the state engineer.

Community Water Supply Studies

- Conduct water supply studies for communities as requested.

Water Resource Monitoring Program

- Install test holes and plug obsolete observation wells.
- Install 125-175 monitoring wells annually.
- Install 20-30 staff gages per year, and monitor water levels and flows.
- Measure 25,000-30,000 water levels in wells and surface-water bodies annually.
- Collect data from 60-70 continuous water level recorders annually.
- Collect 1,500-2,000 samples from wells and surface-water bodies annually.

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- Analyze samples for various chemical constituents.
- Repair and maintain 3,500-4,000 measurement and sampling locations annually.
- Enter data into database.
- Coordinate with the USGS cooperative water resource monitoring program.
- Conduct aquifer tests.

Water Resource-related Economic Development

- Produce "synopsis" reports on water supplies for interested entities.
- Produce or provide water resource interpretive reports.
- Administer the AgPACE program.
- Support the North Dakota Irrigation Association"efforts to expand irrigation development.

Water Resource Data Information Dissemination

- Anticipate uses for which the data would be needed.
- Educate staff on the use of Water Resources Information Management Systems WRIMS as improvements are implemented.
- Communicate with interested parties to determine their informational needs.
- Write unique programs to meet needs of requests of an unanticipated nature.
- Image and store well drilling completion reports.

Water Resource Research Program

- Produce water quality assessments of the National Guard Camp Grafton South Unit.
- Conduct annual reviews and decisions for graduate Water Resource Investigations through the Water Resources Institute.
- Cooperate with the USGS to develop a "Stream Stats" website in North Dakota.
- Conduct an evaluation of nitrate contamination and remediation in the Karlsruhe Aquifer.
- Assist with a study of irrigation through tile drains in Richland County.
- Report on water quality and water levels in the Tolna Coulee.

Investigations

- Provide technical reviews as needed of Missouri River management issues, especially the Missouri River Authorized Purpose Study.
- Manage government survey information.
- Conduct water resource investigations.
- Provide technical support in response to flooding and other disasters.

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- Review proposals for modifications of regulatory floodways.

Silver Jackets Program

- Promote awareness of North Dakota's new Silver Jackets Program.
- Assist communities with FEMA's levee recertification requirement.
- Assist communities with flood control and long-term flood mitigation project requests.
- Assist selected counties and communities with Flood Emergency Operation Plan development and maintenance.
- Coordinate with Silver Jackets Program charter agencies.

Program Statistical Data

The following project and program statistics primarily include efforts completed during the previous 2007-2009 biennium.

Southwest Pipeline Project

During the 2007-2009 biennium, construction of the project continued to expand it as a regional water supply system. Work continued on the Medora-Beach regional service area, connecting nearly 400 rural users.

Rural water user memberships increased from 3,100 to 3,500 and contract users increased from 48 to 55. Sign up campaigns were held for the Oliver, Mercer, North Dunn Regional Service Area in late 2007, and the Preliminary Engineering Report was completed in late 2008 - paving the way for construction of the Oliver, Mercer, North Dunn regional service area to commence during the 2009-2011 biennium.

Today the Southwest Pipeline Project serves 28 communities and 14 bulk users with potable water service, 4,200 rural water hook-ups, and in total, more than 28,000 North Dakotans with water.

Northwest Area Water Supply (NAWS)

By the end of the 2007-2009 biennium, \$26.8 million in additional work had been completed, bringing the total to \$67.9 million invested in the NAWS project. The last 15 miles of pipeline between Minot and Lake Sakakawea was completed. The 25 miles of pipeline, 3 pump stations, and 2 reservoirs from the Minot treatment plant to Berthold were completed. The 52 miles of pipeline, pump station, and million gallon reservoir for water service to Kenmare and the Upper Souris Water District were under

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contract. The 18 million gallon per day High Service Pump Station with 2 million gallon underground storage was under contact. The joint project for the 13-mile pipeline between the All Seasons water treatment plant near Bottineau to Gardena was under construction and near completion. The design work for the 62 miles of pipeline for the Mohall, Sherwood, and All Seasons area was 90 percent complete, and the design work was started for the 29 miles of pipeline to the Minot Air Force Base and Upper Souris system along highway 83. Also, design work was near completion for the Burlington-West River connection along the Berthold line.

When the entire project is completed, NAWS will provide up to 26 million gallons of Missouri River water per day to tens-of-thousands of citizens in northwest North Dakota.

Devils Lake Flood Control

The State of North Dakota and the State Water Commission have determined that there is no single solution to the flooding problems in that region. Rather, a three-pronged approach, including infrastructure protection, upper-basin water management, and an outlet to the Sheyenne River, together, are the best means of providing some relief.

With regard to upper-basin water management, during the 2007-2009 biennium, the Extended Storage Acreage Program (ESAP) continued to be administered. Under ESAP, contracts for floodwater retention are arranged for ten-year periods. There are nine landowners participating in the ESAP program in the Devils Lake basin, taking the total 400 acres under contract to an available storage of 985 acre-feet annually.

In infrastructure protection, the Water Commission has committed 25 million to the city of Devils Lake levee expansion and raise. The total cost of the project is estimated at \$113 million, with 75% coming from the federal government.

Since the state's Devils Lake outlet was completed in 2005, it has been operated every year, except 2006. There was no operation in 2006 because of permit constraints related to water quality in the Sheyenne River.

Throughout the 2007-2009 biennium, the Water Commission continued to operate the Devils Lake outlet within the constraints of required permits. During the 2007 operating season, the outlet ran for 38 days, removing 298 acre-feet of water. In 2008, the outlet ran for 80 days, and removed 1,241 acre-feet of water. And in 2009, the outlet ran for 162 days, and removed 27,500 acre-feet of water.

PROGRAM NARRATIVE**770 Water Commission****Date:** 01/13/2011**Time:** 11:38:39**Program:** Water and Atmospheric Resources**Reporting level:** 00-770-760-00-00-00-00000000**Regulatory Program**

During the 2007-2009 biennium, the Regulatory Section processed 32 applications for permits to construct or modify dams, dikes, diversion ditches, or other water control facilities. The section also processed 46 wetland creations, 69 wetland restorations, 58 sovereign land permit applications, and 147 applications for permits to drain, of which 99 were for tile drain systems.

Municipal, Rural, and Industrial (MR&I) Water Supply Program

Projects that were allocated funds during federal fiscal years 2008 and 2009 included the All Seasons Rural Water System (City of Upham), city of Garrison, North Central Rural Water Consortium (South Benson), North Central Rural Water Consortium (Anamoose-Benedict), Northwest Area Water Supply, South Central Regional Water District Phase 1 and 2, Southwest Pipeline Project, Traill County Water District Phase 1, Tri-County Water District (city of Lakota Water Supply), and city of Williston water system.

During the 2007-2009 biennium, the State Water Commission also allocated \$53.8 million from the state contract fund for the following projects: All Seasons Rural Water System (City of Upham); City of Devils Lake water system; McKenzie County Rural Water System II; North Central Rural Water Consortium (South Benson); North Central Rural Water Consortium (Anamoose-Benedict); Northwest Area Water Supply; city of Parshall water system; Red River Valley Water Supply Project; R&T Water System; South Central Regional Water District Phase 1 and 2; Southwest Pipeline Project; Traill County Water District Phase 1, 2, and 3; Tri-County Water District (city of Lakota); Walsh Rural Water Phase 1 and 2; city of Washburn water system; and city of Williston water system.

Because of North Dakota's MR&I program, regional and rural water systems have continued to expand throughout the state. As a result of this added assistance, there are now 30 regional water systems in North Dakota, providing quality drinking water to over 200,000 people in 319 cities, 64 various water systems, and over 90,000 rural residents. Currently, all or part of 47 of North Dakota's 53 counties, are served by regional water systems, and most have plans to expand.

Floodplain Management

The floodplain management staff assisted the state's 295 NFIP communities with administration of their floodplain management responsibilities, making community visits, and conducting workshops and training activities as part of that effort.

Dam Safety Program

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Dam Safety Program staff inspect 109 high and medium hazard dams on a rotational basis, so that every dam on the list is fully inspected at least once every ten years. High hazard dams are inspected at least once every four years. In addition, each spring, 144 dams are given a partial inspection to check on the status of the dams after the spring runoff season.

During the 2007-2009 biennium, formal inspections were completed at one low hazard, 15 significant hazard, and 14 high hazard dams. In addition, site visits were conducted at 79 low hazard, 54 significant hazard, and 14 high hazard dams. As usual, dam owners were notified of any serious problems found during the inspections.

Cost-Share Program

The Regulatory section is responsible for administering and managing the 2009-2011 biennium cost-share program, of which \$21,240,792 is obligated, and \$2,407,727 is unobligated, totaling \$23,648,519 as of June 2010, per the Projects/Grants/Contract Fund. During the first year of the 2009-2011 biennium, payments in the amount of \$5,080,416 were disbursed for the development of water resources across the state. Financial assistance was provided to assist federal and state agencies and political subdivisions with eligible flood control, water supply, recreation, snagging and clearing, studies, irrigation, bank stabilization, and technical assistance projects.

Construction Section

During the 2007-2009 biennium, the Water Commission's Construction Section completed investigations or projects at Tolna Dam, Sheyenne Dam, Green Lake, Odland Dam, Nieuwsma Dam, Enderlin Park Dam, Wakopa Dam, McGregor Dam, Skyrud Dam, Cedar Lake Dam, Cottonwood Creek Dam, Sweetbriar Creek Dam, Spring Creek (near Zap), and Discovery Farms Project sites (Underwood, Dazey, and Embden).

The Commission also continued to work with the USGS on gauging stations throughout North Dakota and water collection sampling sites. The work involved installation of orifice lines, installation of staff gages, removal of gauge houses, installation of gauge houses, and repairs to sheet pile control sections.

State Water Management Plan

In order to develop a new comprehensive State Water Management Plan, the Planning and Education Division sent out requests for updated project/program information to project sponsors statewide in January 2008. Requests were made to all of North Dakota's 357 incorporated cities, 61 individual water boards, and 13 joint water boards. The 2009 North Dakota Water Plan was completed in December 2008.

Water Education for Teachers

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During the 2007-2009 biennium, Project WET K-12 educational programs and resources for educators reached 264 educators in 1-3 hour teacher in-service sessions, 39 pre-service teachers in six hour workshops, 136 educators in single-credit workshops, and 50 educators in summer watershed institutes, for a total of 489 K-12 educators.

Project WET K-12 educational programs and resources for students reached 6,250 students through major water festivals and 16,384 students through youth camps, youth school programs, youth community programs, and other youth water education events, for a total of 22,634 students. Project WET also served 2,425 adults in community water or natural resource education events.

North Dakota Cloud Modification Project

The North Dakota Cloud Modification Project (NDCMP) served six western counties during the 2007-2009 biennium. Those counties were Bowman, McKenzie, Mountrail, Ward, Williams, and part of Slope. At the conclusion of the biennium, the project target area covered 6.7 million acres of western North Dakota.

The most recent (2009) independent evaluations of the program indicate a 45 percent reduction in crop-hail losses, a six percent increase in wheat yields, and up to a 10 percent increase in rainfall.

Atmospheric Resource Board - Cooperative Research Program

Research during the 2007-09 biennium focused on a cooperative program between ARB, the University of North Dakota's Atmospheric Science Department, the National Center for Atmospheric Research, Fargo-based Weather Modification Incorporated, and Ice Crystal Engineering in Kindred. The Polarimetric Cloud Analysis and Seeding Test 2, or POLCAST2, conducted its second field campaign from June 3 - July 14, 2008.

Atmospheric Resource Board - Cooperative Observer Network (ARBCON)

ARBCON has collected growing season rainfall and hail data from volunteer observers statewide since 1977. During those 32 years, participation has ranged from between 700 and 1,000 observers annually, making it one of, if not the most dense precipitation observation networks in the U.S. During the 2007-2009 biennium, observers numbered about 750 each year.

Rain and hail data, as well as color maps depicting monthly and growing season precipitation, departure from normal, and 30-year averages can be publicly accessed and downloaded directly through the SWC website. The data have proven to be very helpful in the assessment of excess rainfall and attendant flooding, as well as in the monitoring and delineation of drought.

PROGRAM NARRATIVE**770 Water Commission****Date:** 01/13/2011**Time:** 11:38:39**Program:** Water and Atmospheric Resources**Reporting level:** 00-770-760-00-00-00-00000000**Administration, Adjudication, and Evaluation of Water Rights**

There were 416 temporary water permits issued by the State Engineer during the 2007-2009 biennium. The total volume of water allocated was 20,837 acre-feet. Sixty temporary permits were from ground water sources, with a total volume of 6,341.8 acre-feet, and 356 temporary permits were from surface water sources, with a total volume of 14,495.2 acre-feet.

There were 110 conditional water permits perfected during the biennium. These water permits had been approved earlier, and had been fully developed. After being inspected, reports on these inspections were written and the permits were perfected.

The Water Appropriation Division was also asked to assist and advise the public on the availability of water for all purposes of use. Considerable time and resources were expended to provide technical assistance for the development of water supplies for oil field development (brine dilution and hydro-fracturing). Study areas included the Killdeer, Shell Creek, Tobacco Garden, Fox Hills, and Tongue River/Sentinel Butte Aquifers.

Water Supply Studies

Ground-water supply studies were in progress or completed for the Oakes Aquifer; Sheyenne Delta Aquifer; North Kidder Aquifer; Little Muddy Aquifer; Page Aquifer; Brightwood, Milnor Channel, and Hankinson Aquifers; McVille Aquifer; Buford-Trenton Aquifer; and the Spiritwood Aquifer for the city of Devils Lake well field.

Water Resource Monitoring

Ongoing exploration for ground water resources as well as monitoring and regulation of known aquifer systems require test-drilling and monitoring well installation. During the 2007-2009 biennium, 23,919 feet of test drilling was completed, 139 new observation wells were installed, and an additional 41 test holes were drilled where no well was installed. As part of the ongoing well maintenance program, 5 existing monitoring wells were rehabilitated, and 48 older wells were properly plugged and abandoned.

Also during the 2007-2009 biennium, 4,275 water samples were analyzed for chemical constituents; and over 4,347 wells and surface water bodies were measured for water levels.

The agency also supported the operation of 40 stream flow gages as part of a cooperative program with the U.S. Geological Survey (USGS).

PROGRAM NARRATIVE**770 Water Commission****Date:** 01/13/2011**Time:** 11:38:39**Program:** Water and Atmospheric Resources**Reporting level:** 00-770-760-00-00-00-00000000**Water Resource-Related Economic Development Program**

Economic development is a major state initiative. In most instances water is needed to serve new enterprises. Information is provided to the Department of Commerce and local economic development organizations regarding the availability and chemical quality of water to serve a proposed enterprise. The agency also provided information to Department of Commerce clients on immediate and long-term regulatory issues, which helps in defining capital requirements.

For the AgPACE Program in the 2007-2009 biennium, \$318,785 had been provided to North Dakota agricultural producers - enabling farmers to buy-down interest on new irrigation systems.

Water Resource Data Information Dissemination

Water resource data pertaining to water levels, water quality, and well information is collected on a continuing basis. This data is stored in a web accessible database. The database contains about 1.5 million water-level measurements, 34,000 site locations, 50,000 water quality analyses, and 17,000 sites with lithologic descriptions. Additional data acquisition sites are implemented as needed through time. Aquifer parameters and properties are evaluated through an aquifer-testing program.

Water Resource Research

The Appropriations Division initiated, conducted, and also completed a number of water resource research efforts during the 2007-2009 biennium, including:

-Annual reviews of nitrogen occurrence in the Karlsruhue Aquifer;

-Implementation of the national Stream Stats program in cooperation with the USGS;

-A study to evaluate water-quality sampling programs and sulfate standards for stream classes and designated areas throughout North Dakota in cooperation with the USGS;

-An evaluation of methods to determine the diversion of flow at Rafferty and Alameda Reservoirs along the Souris/Mouse River in Canada, and to recommend a preferred method to the International Souris River Board;

-Continuation of a focused sampling regime of the major public water supplies from ground water in Grand Forks County, where four major public water supplies (Grand Forks-Traill Rural Water, Tri-county Rural Water, Agassiz Rural Water, and the city of Larimore) obtain their water from the Inkster and Elk Valley Aquifers;

-Continuation of monitoring efforts of the Forest River Colony Artificial Recharge Project, which involves pumping water from the Forest River during high flow times in the spring into a basin overlying the Inkster Aquifer;

PROGRAM NARRATIVE**770 Water Commission****Date:** 01/13/2011**Time:** 11:38:39**Program:** Water and Atmospheric Resources**Reporting level:** 00-770-760-00-00-00-00-00000000

-Completed a report on the status and trends of water levels in the Fox-Hills Aquifer in response to oil field development (brine dilution, hydro-fracturing, and water flooding);

-Completed a study entitled, "Potential Effects of Subsurface Drainage on Water Appropriation and the Beneficial Use of Water in North Dakota," as mandated by the 2007 legislature;

-Provided annual reports on water movement in the Tolna Coulee to the Devils Lake Basin Joint Water Board; and

-Cooperated with the North Dakota Department of Health in reviewing ground water aspects of landfill applications and with the State Public Service Commission in reviewing ground water aspects of coal mining permits and revisions.

The Appropriations Division also provided technical assistance, funding, and guidance toward the completion of a graduate work through the North Dakota Water Resource Research Institute.

Silver Jackets Program

The North Dakota Silver Jackets Program was initiated in January 2010 in response to the extensive flooding of 2009 with the intent to identify comprehensive, long term flood solutions through a collaborative, interagency effort between state and federal authorities. A Silver Jackets Charter was completed and signed between the State Water Commission, Division of Emergency Services, FEMA Region VIII, and the U.S. Army Corps of Engineers (St Paul & Omaha Districts) in May 2010. The Corps of Engineers initiated the Silver Jackets concept through a partnership with FEMA in 2005 with the goal of establishing Silver Jackets teams in at least one state in each Corps Division - and ultimately one in all fifty states.

Explanation of Program Costs

The Water and Atmospheric Program base budget totals \$451,308,123. The 2011-2013 increases total \$128,107,599, not including payroll. This is primarily a result of two factors. The first is the increase in operation costs of the Devils Lake outlet. Due to the increased capacity operations costs have increased by \$4,143,830.

The other major increase can be attributed to the ability to construct additional water projects because of increased revenues in the Resources Trust Fund. The trust fund revenues are projected to increase by \$105,095,950 from the previous biennium. When combining that with the increase in the 2009-2011 projects in progress that will need to have their funding brought forward into the 2011-2013 biennium the project budget will increase by \$124 million.

PROGRAM NARRATIVE**770 Water Commission****Date:** 01/13/2011**Time:** 11:38:39**Program:** Water and Atmospheric Resources**Reporting level:** 00-770-760-00-00-00-00-00000000**Program Goals and Objectives**

ARB Cooperative Observer Network

- Make high-resolution precipitation and hail data available to counties, states, federal agencies, private organizations, and the public.
- Provide the entire database online for data download or review.
- Increase online reporting and produce value added products that will be useful to a larger audience.
- Expand snowfall measurements in critical areas to assist with spring flood forecasting.

Atmospheric Research and Development Program

- Better quantify the physical processes of rainfall and hail formation.
- Improve operational application of cloud seeding technologies.
- Better quantify effects through development and application of improved evaluation techniques.

Community Water Supply Studies

- Provide interpretation of existing water resource data.
- Conduct studies of potential water resources.
- Publish reports on water resource studies.
- Provide guidance and/or recommendations with regard to water supply concerns.
- Process appropriate paperwork to establish or maintain water rights.

Cost-share Program

PROGRAM NARRATIVE**770 Water Commission****Date:** 01/13/2011**Time:** 11:38:39**Program:** Water and Atmospheric Resources**Reporting level:** 00-770-760-00-00-00-00000000

- Financially assist federal and state agencies and political subdivisions with eligible projects categorized as rural flood control, water supply, flood control, dam safety, recreation, snagging and clearing, studies, irrigation, bank stabilization, dam removal/breach, and technical assistance.

Dam Safety Program

- On a rotational basis, conduct full periodic inspections of all non-federally owned high hazard dams and all non-federally owned medium hazard dams greater than 10 feet high.
- Conduct annual partial inspections of non-federally owned high and medium hazard dams, and selected low hazard dams.
- Report inspection findings to the respective dam owners so they can address problems and improve the safety of their dams.
- Update and maintain an inventory of all dams in North Dakota.
- Encourage the development of emergency action plans (EAPs) for dams.

Design and Construction

- Maintain water resource facilities within the state to ensure public safety, and enhance quality of life by meeting multiple uses such as flood control, water supply, and recreation opportunities.
- Work with the USGS to maintain the network of stream gauges throughout the state, thereby ensuring reliable data necessary for managing North Dakota's water resources.

Devils Lake Flood Control

- Reduce the risk of flooding around Devils Lake by implementing a three-pronged approach, which includes upper-basin water management, infrastructure protection, and operation of the outlet.

Floodplain Management

- Manage the state's floodplains to reduce flood damages throughout the state.
- Collect and distribute information relating to flooding and floodplain management.
- Coordinate local, state, and federal floodplain management activities.
- Assist communities in their floodplain management activities.

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- Fulfill all existing responsibilities under FEMA's CAP.
- Support the digital flood map conversion process as part of FEMA's Map Modernization and its successor program Risk Map.

Investigations

- Conduct preliminary engineering, hydrologic, and hydraulic studies, and review studies done by others.
- Provide engineering services for surface water projects throughout the state.

Municipal, Rural, and Industrial (MR&I) Water Supply Program

- Coordinate alternative funding solutions for water supply and water treatment projects to help water users in cities and rural water areas obtain an adequate supply of quality water for municipal, rural, and industrial purposes.
- Provide planning and technical assistance to water supply systems to promote wise use of water resources throughout the state.

North Dakota Cloud Modification Project

- Reduce hail damages in the North Dakota Cloud Modification Project (NDCMP) target area.
- Enhance summer rainfall from thunderstorms in NDCMP target area.

Northwest Area Water Supply

- Finish construction of the pretreated water delivery system to Minot.

Regulatory Program

- Regulate, where appropriate, the construction of dams, dikes, water control facilities, drainage works, and projects on sovereign lands, to ensure proper management of North Dakota's water resources and public safety.
- Interact with the public, continue involvement on interagency committees, and participate in training workshops to facilitate education and information dissemination to other water resource managers – especially at the local level.

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Silver Jackets Program

- Educate state agencies, county water boards, and communities on the Silver Jackets Program.
- Educate communities on FEMA's levee recertification requirement or Provisionally Accredited Levee (PAL) program.
- Assist communities with project requests in support of flood control or long term flood mitigation projects through the Water Commission and other federal or state agencies as appropriate.
- Assist communities with flood related Emergency Operation Plans.
- Assist in educating counties and communities on the importance of maintaining current Hazard Mitigation Plans.
- Coordinate with Silver Jacket charter agencies to discuss state flood-related priorities, recommendations, efforts and improve communication.

Southwest Pipeline Project

- Continue construction of the Oliver, Mercer, North Dunn Regional Service Area.

State Water Management Plan

- Coordinate implementation of recommendations included in the 2009 State Water Management (SWMP).
- Develop a 2013-2015 Water Development Report (WDR) to serve as a biennial update to the 2009 SWMP.

Water Education for Teachers

- Develop, promote, deliver, and provide to K-12 formal and non-formal educators and students:
 - Indoor and outdoor water science and water education programs;
 - Balanced water resource information and education tools, services, programs, and resource materials;
 - Institutes, workshops, in-service and pre-service educational opportunities; and
 - Classroom events, youth camps, youth water festivals, community water or environmental awareness, and youth service events.

Water Resource Data Information Dissemination

- Maintain quality water resource data.

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- Develop and maintain databases for retrieval of data.
- Maintain trained staff to interpret data.
- Develop and maintain web-based integration for access to data.

Water Resource Monitoring

- Collect water resource data.
- Organize and store water resource data.
- Evaluate water-resource data and future data needs.

Water Resource-Related Economic Development

- Identify and evaluate potential water supplies for economic development.
- Support programs to encourage water-using industries.
- Support programs to encourage irrigation.

Water Resource Research

- Support research into water resources of the state.
- Conduct studies of the nature and occurrence of water to optimize its conservation and development throughout the state.

Water Rights Administration and Processing

- Process water permit applications.
- Maintain meticulous water right records.
- Perfect conditional water rights.

PROGRAM NARRATIVE**770 Water Commission****Date:** 01/13/2011**Time:** 11:38:39**Program:** Water and Atmospheric Resources**Reporting level:** 00-770-760-00-00-00-00000000

- Document permitted water use.

Water Rights Evaluation and Adjudication

- Pursue cooperative efforts with neighboring states and provinces to plan for beneficial water management of shared water resources.
- Cooperate with agencies that have regulatory authority over North Dakota's water to protect and enhance the quality and quantity of North Dakota's water resources.
- Evaluate water permit applications and recommend decisions to the State Engineer.

Watershed Planning and Coordination

- Provide technical expertise and assistance toward the development and implementation of regional watershed management planning efforts and studies.

REQUEST DETAIL BY PROGRAM

770 Water Commission

Bill#: SB2020

Date: 01/13/2011

Biennium: 2011-2013

Time: 11:38:39

Program: Water and Atmospheric Resources		Reporting Level: 00-770-760-00-00-00-00000000			
Description	Expenditures 2007-2009 Biennium	Present Budget 2009-2011	Budget Request Change	Requested Budget 2011-2013 Biennium	Optional Request 2011-2013
Grants - Local Cost Share					
Grants, Benefits & Claims	0	2,526,445	(2,026,445)	500,000	0
Total	0	2,526,445	(2,026,445)	500,000	0
Grants - Local Cost Share					
General Fund	0	0	0	0	0
Federal Funds	0	0	0	0	0
Special Funds	0	2,526,445	(2,026,445)	500,000	0
Total	0	2,526,445	(2,026,445)	500,000	0
Beaver Bay Feasibility Study					
Grants, Benefits & Claims	0	342,000	(342,000)	0	0
Total	0	342,000	(342,000)	0	0
Beaver Bay Feasibility Study					
General Fund	0	0	0	0	0
Federal Funds	0	0	0	0	0
Special Funds	0	342,000	(342,000)	0	0
Total	0	342,000	(342,000)	0	0
Water and Atmospheric Resources					
Salaries - Permanent	6,860,392	8,255,991	210,559	8,466,550	292,800
Temporary Salaries	212,342	303,140	(10,578)	292,562	0
Overtime	156,287	131,870	36,322	168,192	0
Fringe Benefits	2,305,072	2,962,944	44,652	3,007,596	90,202
Travel	706,994	991,811	9,958	1,001,769	0
Supplies - IT Software	6,997	1,000	0	1,000	0
Supply/Material-Professional	234,495	531,315	0	531,315	0
Food and Clothing	1,632	1,800	0	1,800	0
Bldg, Ground, Maintenance	128,982	110,719	0	110,719	0
Miscellaneous Supplies	36,295	41,100	0	41,100	0
Office Supplies	5,189	17,200	0	17,200	0
Postage	5,908	13,200	0	13,200	0
Printing	14,809	15,780	0	15,780	0
IT Equip Under \$5,000	24,378	10,000	0	10,000	0
Other Equip Under \$5,000	25,423	38,000	0	38,000	0
Office Equip & Furn Supplies	31,208	38,400	0	38,400	0
Utilities	168,303	1,446,194	4,519,000	5,965,194	0
Insurance	840	22,350	0	22,350	0

REQUEST DETAIL BY PROGRAM

770 Water Commission

Bill#: SB2020

Date: 01/13/2011

Biennium: 2011-2013

Time: 11:38:39

Program: Water and Atmospheric Resources		Reporting Level: 00-770-760-00-00-00-00000000			
Description	Expenditures 2007-2009 Biennium	Present Budget 2009-2011	Budget Request Change	Requested Budget 2011-2013 Biennium	Optional Request 2011-2013
Rentals/Leases-Equip & Other	10,561	51,700	0	51,700	0
Rentals/Leases - Bldg/Land	16,053	41,700	0	41,700	0
Repairs	78,730	204,520	0	204,520	0
IT - Communications	25,775	21,042	0	21,042	0
Professional Development	85,623	91,643	0	91,643	0
Operating Fees and Services	256,197	1,368,330	0	1,368,330	0
Fees - Professional Services	9,006,115	9,066,170	3,927,021	12,993,191	0
Medical, Dental and Optical	0	1,000	0	1,000	0
Other Capital Payments	44,230,994	95,100,944	3,220,861	98,321,805	0
Equipment Over \$5000	420,049	50,198	(198)	50,000	0
IT Equip/Sftware Over \$5000	9,000	0	0	0	0
Grants, Benefits & Claims	20,813,136	187,032,247	127,026,445	314,058,692	(230,504)
Transfers Out	287,428	88,935	1,065	90,000	0
Total	86,165,207	308,051,243	138,985,107	447,036,350	152,498
Water and Atmospheric Resources					
General Fund	10,072,180	11,238,435	122,261	11,360,696	152,498
Federal Funds	23,571,662	54,940,358	(8,397,016)	46,543,342	0
Special Funds	52,521,365	241,872,450	147,259,862	389,132,312	0
Total	86,165,207	308,051,243	138,985,107	447,036,350	152,498
Federal Stimulus Funds 2009					
Other Capital Payments	0	12,000,000	(12,000,000)	0	7,271,773
Total	0	12,000,000	(12,000,000)	0	7,271,773
Federal Stimulus Funds 2009					
General Fund	0	0	0	0	0
Federal Funds	0	12,000,000	(12,000,000)	0	7,271,773
Special Funds	0	0	0	0	0
Total	0	12,000,000	(12,000,000)	0	7,271,773
Total Expenditures	86,165,207	322,919,688	124,616,662	447,536,350	7,424,271
Funding Sources					
General Fund					
Total	10,072,180	11,238,435	122,261	11,360,696	152,498

REQUEST DETAIL BY PROGRAM

770 Water Commission

Bill#: SB2020

Date: 01/13/2011

Biennium: 2011-2013

Time: 11:38:39

Program: Water and Atmospheric Resources		Reporting Level: 00-770-760-00-00-00-00000000			
Description	Expenditures 2007-2009 Biennium	Present Budget 2009-2011	Budget Request Change	Requested Budget 2011-2013 Biennium	Optional Request 2011-2013
Federal Funds					
N006 Cap Program	148,429	175,000	45,000	220,000	0
N013 Southwest Pipeline	6,692,781	32,000,000	(16,257,351)	15,742,649	7,271,773
N047 MR&I Administration	180,583	195,964	(47,000)	148,964	0
N117 Wet Non-Point Source Program	169,996	174,525	1	174,526	0
N120 2002 ND Weather Damage Modificatio	0	1,500,000	0	1,500,000	0
N157 State Dam Safety Grant Program	77,565	82,000	68,775	150,775	0
N161 Northwest Area Water Supply (NAWS)	14,521,639	30,000,000	(5,000,000)	25,000,000	0
N177 Flood Assistance Program F 00	1,813	1,813	0	1,813	0
N192 FEMA Map Modernization Mgmt	187,559	267,880	(61,452)	206,428	0
N194 Fed Fund Transfer from Another Agen	124,770	37,593	0	37,593	0
N224 FEMA Cooperating Technical Partn	1,466,527	2,505,583	855,011	3,360,594	0
Total	23,571,662	66,940,358	(20,397,016)	46,543,342	7,271,773
Special Funds					
267 Water Development Trust Fund 267	15,652,298	32,376,076	4,813,658	37,189,734	0
381 NAWS Operations Fund	25,211	1,110,470	(380,470)	730,000	0
397 Water Commission Fund 397	36,843,856	211,068,349	140,494,229	351,562,578	0
413 NAWS Project Reserve Fund 413	0	186,000	(36,000)	150,000	0
Total	52,521,365	244,740,895	144,891,417	389,632,312	0
Total Funding Sources	86,165,207	322,919,688	124,616,662	447,536,350	7,424,271
FTE Employees	73.00	75.00	0.00	75.00	2.00

CHANGE PACKAGE DETAIL

770 Water Commission

Bill#: SB2020

Date: 01/13/2011

Biennium: 2011-2013

Time: 11:38:39

Program: Water and Atmospheric Resources	Reporting Level: 00-770-760-00-00-00-00000000
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Description	Priority	FTE	General Fund	Federal Funds	Special Funds	Total Funds
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Base Budget Changes**One Time Budget Changes**

A-E 6 Remove Prior Biennium ARRA Stimulus		0.00	0	(12,000,000)	0	(12,000,000)
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Total One Time Budget Changes		0.00	0	(12,000,000)	0	(12,000,000)
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Ongoing Budget Changes

A-A 1 Operating Expenses		0.00	84,440	0	8,371,539	8,455,979
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A-A 5 Capital Payments		0.00	40,000	0	98,331,805	98,371,805
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A-A 8 Grant Expenditures		0.00	0	(8,419,081)	133,078,146	124,659,065
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A-F 4 Remove Capital		0.00	(50,198)	0	(95,100,944)	(95,151,142)
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Base Payroll Change		0.00	48,019	22,065	210,871	280,955
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Total Ongoing Budget Changes		0.00	122,261	(8,397,016)	144,891,417	136,616,662
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Total Base Budget Changes		0.00	122,261	(20,397,016)	144,891,417	124,616,662
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Optional Budget Changes**One Time Optional Changes**

A-D 7 ARRA Stimulus Funding	3	0.00	0	7,271,773	0	7,271,773
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Total One Time Optional Changes		0.00	0	7,271,773	0	7,271,773
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Ongoing Optional Changes

A-C 2 New Development Position-Director	1	1.00	219,614	0	0	219,614
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A-C 3 New Development Position - Program Admin	2	1.00	163,388	0	0	163,388
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Total Ongoing Optional Changes		2.00	383,002	0	0	383,002
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Total Optional Budget Changes		2.00	383,002	7,271,773	0	7,654,775
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Optional Savings Changes

A-G 9 Optional Savings	4	0.00	(230,504)	0	0	(230,504)
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Total Optional Savings Changes		0.00	(230,504)	0	0	(230,504)
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